(*c*) for any reference (however worded and whether express or implied) to so much of the business carried on by the Merseyside Board as corresponds to the business carried on by the undertakers for the purposes of the said order immediately before the vesting date, or to any part of such business, there were substituted a reference to so much of the business carried on by the Midlands Board as corresponds to that business or that part.

(2) Every other document not being an enactment which refers, whether specifically or generally, to the Merseyside Board shall, in so far as concerns any such property, right, liability or obligation as aforesaid, or the business carried on by them referred to in the foregoing paragraph, be construed in accordance with the provisions of that paragraph.

Commencement and citation

4. This order shall come into operation on the first day of June, nineteen hundred and fifty, and may be cited as the Electricity (Area) (Congleton) Order, 1950.

Dated this twenty-second day of May, nineteen hundred and fifty.

Philip Noel-Baker,
Minister of Fuel and Power.

EXPLANATORY NOTE

(This note is not part of this order, but is intended to indicate its general purport.)

This order transfers the electricity undertaking formerly vested in the Congleton Corporation from the area of the Merseyside and North Wales Electricity Board to that of the Midlands Electricity Board. The latter Board now become the undertakers for the purposes of the Congleton Electricity Special Order, 1929. The area of supply affected comprises the borough of Congleton and the urban district of Buglawton, as they were before the enactment of the County of Chester Review Order, 1936.

The Electricity (Commissioners and Others) (Compensation) Regulations, 1950

1950 No. 965

Laid before Parliament in draft
Made - - - - 13*th June*, 1950
Coming into Operation 21*st June*, 1950

ARRANGEMENT OF REGULATIONS

PART I Compensation to members of Central Electricity Board and Electricity Commissioners ... ... Regulations 1 and 2
PART II Compensation to officers of the Electricity Commissioners ... ... Regulations 3 and 4
PART III General ... ... Regulations 5 and 6

Whereas a draft of the following regulations has been laid before Parliament:

And Whereas each House of Parliament has by resolution approved the said draft:

Now, therefore, the Minister of Fuel and Power, in exercise of the powers conferred upon him by subsection (2) of section fifty-five of the Electricity Act, 1947(a), and of all other powers him enabling, hereby makes the said regulations:—

PART I

Compensation to members of Central Electricity Board and Electricity Commissioners

1.—(1) Every person who at the passing of the Electricity Act, 1947, (in these regulations referred to as "the Act") was a member of the Central Electricity Board or one of the Electricity Commissioners (in these regulations referred to as "the Commissioners"), and who in consequence of the dissolution of the Board or of the Commissioners, as the case may be, has suffered loss of employment, shall be entitled to compensation under this part of these regulations assessed and paid by the Central Authority as a lump sum.

(2) In the assessment of the compensation to which any such person is entitled, regard shall be had to:—

(*a*) the terms on which he was appointed, and the period of his term of office unexpired at the date on which he lost his said employment;

(*b*) the extent to which, but for the dissolution aforesaid, it might reasonably have been anticipated that he would on the expiry of the term of office for which he was appointed be re-appointed;

(*c*) any pension which he is then receiving in respect of his service as a member of the Board or as one of the Commissioners, as the case may be;

(*d*) any employment (including membership of any Electricity Board) offered to him since the date of loss by any Minister of the Crown.

(3) The amount of the compensation to which any such person is entitled shall not exceed a sum equal to three times the amount of the emoluments received by him in any one year as a member of the Board or as one of the Commissioners, as the case may be.

2. Any person entitled to compensation under the foregoing regulation, being aggrieved by the determination of the Central Authority in the assessment thereof, may appeal to a referee or board of referees, appointed after consultation with the Lord Chancellor by the Minister of Labour and National Service, who shall rehear his claim and may make an assessment which shall be binding on him and on the Authority.

PART II

Compensation to officers of the Electricity Commissioners

3.—(1) Every person who—

(*a*) was an officer of the Commissioners immediately before the first day of August, nineteen hundred and forty-eight, (being the date on which the Commissioners were dissolved, and, in this part of these regula-

(a) 10 & 11 Geo. 6. c. 54.

tions, referred to as " the dissolution date ") having been continuously employed as such after attaining the age of eighteen years during a period of not less than eight years immediately preceding that date, and

(*b*) has suffered loss of employment or loss or diminution of emoluments or pension rights or whose position has been worsened in consequence of the said dissolution,

shall be entitled to compensation under this part of these regulations:

Provided that no such officer shall be so entitled on the ground of anything occurring after the expiry of ten years from the dissolution date.

(2) For the purpose of the foregoing paragraph, any period during which any such officer was—

(*a*) engaged on war service,

(*b*) an established or unestablished civil servant,

(*c*) employed whole-time by one or more bodies to whom Part II of the Act applied, being, where employed by a local authority or composite company, a person employed by them wholly or mainly in their capacity as authorised undertakers,

(*d*) employed whole-time for the purpose of administering undertakings or parts of undertakings of authorised undertakers, or

(*e*) if the period was preceded and followed by periods as an officer of the Commissioners or in any capacity mentioned in this paragraph, not employed (so however that the periods included by virtue of this sub-paragraph shall not in the aggregate exceed eighteen months),

shall be deemed to have been a period during which he was an officer of the Commissioners.

(3) Any officer taken into the employment of an Electricity Board in the period beginning at the passing of the Act and ending on the dissolution date who but for being taken into the said employment would have been an officer to whom sub-paragraph (*a*) of paragraph (1) applied shall for the purpose of that paragraph be deemed to have been such an officer.

4.—(1) The compensation to which any such officer is entitled shall be assessed and paid by the Central Authority.

(2) Subject to the provisions of the foregoing paragraph, the provisions of Parts II, III and IV of the Electricity (Staff Compensation) Regulations, 1949(**a**), shall with the requisite modifications apply in relation to any officer claiming or entitled to compensation under this part of these regulations as they apply in relation to any person claiming or entitled to compensation under those regulations, so however that there shall be substituted for any reference—

(*a*) to the Board, a reference to the Central Authority,

(*b*) to the vesting date, a reference to the dissolution date,

(*c*) to paragraph (2), or to paragraph (3), or to sub-paragraph (*c*) of paragraph (3), of regulation one, a reference to sub-paragraph (*a*) of paragraph (1), or to paragraph (2), or to sub-paragraph (*e*) of paragraph (2), of regulation three of these regulations, as the case may be,

and that regulation nineteen thereof shall not apply.

(a) S.I. 1949 (No. 460) I, p. 1581.

PART III

General

5.—(1) In these regulations, the following expressions have the meanings hereby assigned to them respectively:—

"the Act" and "the Commissioners" have the meanings assigned by paragraph (1) of regulation one;

"the dissolution date" has the meaning assigned by paragraph (1) of regulation three.

(2) Expressions to which meanings are assigned by the Act or by these regulations shall, unless the context otherwise require, bear the same meanings in any instrument issued or made under the provisions of these regulations.

(3) The Interpretation Act, 1889(a), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

6. These regulations may be cited as the Electricity (Commissioners and Others) (Compensation) Regulations, 1950, and shall come into operation on the eighth day after the date hereof.

Dated this thirteenth day of June, nineteen hundred and fifty.

Philip Noel-Baker,
Minister of Fuel and Power.

EXPLANATORY NOTE

(This note is not part of these regulations, but is intended to indicate their general purport.)

1. These regulations require the British Electricity Authority to pay compensation where, in consequence of the dissolution of the Central Electricity Board or of the Electricity Commissioners:—

(*a*) members of the Board or Commissioners have suffered loss of employment, or

(*b*) certain officers of the Commissioners have within ten years of their dissolution (1st August, 1948) suffered loss of employment, loss or diminution of emoluments or pension rights, or worsening of position.

2. The officers referred to in 1 (*b*) are:—

(*a*) those with a minimum period of eight years of continuous service over the age of eighteen immediately preceding the dissolution date (periods in the civil service, in whole-time service with any authorised undertakers in their capacity as such, or in administering undertakings or parts of undertakings of authorised undertakers, engagement on war service, and intervening periods of unemployment not exceeding in the aggregate 18 months, may be included for the purpose of qualification); and

(*b*) officers taken into the service of an Electricity Board in the period between the passing of the Electricity Act, 1947, and the dissolution date, who but for that fact would have been officers to whom (*a*) applied.

3. The provisions of the Electricity (Staff Compensation) Regulations, 1949, relating to the amount and assessment of compensation are to apply in relation to compensation for officers of the Commissioners entitled under these regulations. Members of the Board and Commissioners have special provisions applicable to them which are set out in Part I of the regulations.

(a) 52 & 53 Vict. c. 63.